

## Natural Environment Referral Response - Coastal

<b>Application Number:</b>	Mod2021/0092
<b>Date:</b>	05/10/2021
<b>Responsible Officer</b>	Kye Miles
<b>Land to be developed (Address):</b>	Lot 6 DP 659074 , 1184 - 1186 Pittwater Road NARRABEEN NSW 2101

### Reasons for referral

This application seeks consent for land located within the Coastal Zone.

And as such, Council's Natural Environment Unit officers are required to consider the likely impacts on drainage regimes.

### Officer comments

This application has been assessed as complying with following policies and instruments:

- The Northern Beaches Coastal Erosion Policy
- The CZMP for Collaroy-Narrabeen Beach and Fishermans Beach
- WLEP 201 (Clause 6.5)
- WDCP 2011 (Clause E9)

An independent technical assessment has confirmed that the works comply with the Collaroy-Narrabeen Beach Coastal Protection Works Specifications. The proposed works will form part of continuous coastal protection works covering multiple properties across an area of approximately 1.3km. The impact of these works to coastal processes and public access has been assessed in Collaroy-Narrabeen Beach Coastal Protection Assessment (Manly Hydraulics Laboratory and UNSW Water Research Laboratory, 2016) and addendum report (2019).

The proposal is therefore supported.

Note: Should you have any concerns with the referral comments above, please discuss these with the Responsible Officer.

### Recommended Natural Environment Conditions:

#### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **Permanent lateral restraint to coastal protection works**

Suitable drawings and design certification to demonstrate that adequate permanent lateral restraint will be provided by the basement floor and roof, taking into account an appropriate design scour level must be provided. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure structural stability of the works.

#### **Access for construction and maintenance of works**

The works are to be designed and constructed in accordance with the access requirements outlined in the Collaroy-Narrabeen Beach Coastal Protection Works Design Specifications 2016. Details demonstrating compliance with this requirement are to be prepared by a suitably qualified coastal engineer and submitted to the certifying authority for approval prior to issue of the Construction Certificate.

Reason: To ensure suitable access for construction and maintenance of coastal protection.

#### **Crest Level**

Suitable drawings and design certification to confirm the crest level of the coastal protection works coincides with the adjacent ground level must be provided. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To maintain existing ground levels

#### **Northern Beaches Council Collaroy-Narrabeen Beach Coastal Protection Works Design Specifications**

Confirmation that the design of the works complies with the Northern Beaches Council Collaroy-Narrabeen Beach Coastal Protection Works Design Specifications must be provided. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure compliance with the Northern Beaches Council Collaroy-Narrabeen Beach Coastal Protection Works Design Specifications

### **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

#### **Site Supervision**

A suitably qualified coastal engineer is to be employed to review and check the work of the construction contractor for the duration of the approved works.

Reason: To ensure appropriate construction of the coastal protection works.

#### **Safety requirements under storm conditions**

Works are not to be placed during storm conditions unless the owner/s obtains a written opinion from a suitably qualified coastal engineer that the placement of the works under these conditions does not present a significant safety risk to any person or will result in damage to the beach. This opinion is to be kept by the landowner until the works are completed. If adverse weather conditions are forecast, the works site is to be made safe (where practical) to avoid the dispersal of equipment and debris onto the

beach and into the surf zone.

Reason: To ensure the safety of workers and the public during construction.

#### **Removal of unsuitable material**

Unusable materials found within the area of excavation and not utilised in the construction of the works will be required to be removed. Confirmation of this requirement is to be provided to Council by the engineer supervising the works.

Reason: To ensure that all unsuitable material is removed from the beach.

#### **Sand**

No sand excavated from the beach seaward of the subject properties to construct the works is to be placed landward of the protection works before, during or after construction. All such sand shall be placed seaward of the works. The sand shall be screened to remove unsuitable material as required.

Reason: To avoid damage to the beach.

### **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

#### **Surveys During Works and Post Completion Survey**

A declaration by a registered surveyor is required as evidence that all construction has been effected in accordance with the Development Consent, approved plans and specifications in the Consent. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to approval of an occupation certificate. Survey plans and a declaration are to be provided to Council on issue of the Occupation Certificate.

Reason: To ensure accurate location of coastal protection works.

#### **Maintenance Management Plan for Coastal Protection Works**

A Maintenance Management Plan (MMP) is to be prepared for the maintenance of the coastal protection works for their intended design life. The MMP is to be prepared by a suitably qualified coastal engineer and is to be approved by Council in writing prior to issue of the construction certificate. The MMP must be complied with at all times.

The MMP may be modified from time to time by the agreement of all landowners at the time and with the approval of Council. These modifications to the MMP must also be made (if necessary) each time the design life is extended in accordance with condition 36. This is to ensure the MMP continues to be suitable in perpetuity.

Reason: To ensure a plan is in place for the on-going maintenance of the works prior to the start of

construction and at each extension of the design life.

### **Maintenance Obligations and Public Safety**

#### **Maintenance Obligations and Public Safety**

The owners of 1184, Pittwater Road, Narrabeen must provide an irrevocable bank guarantee (or other suitable legally binding obligation) to Council prior to the issue of any construction certificate in the amount of \$1000 per lineal metre of work (based on the length of the seaward property boundary) to undertake maintenance of the coastal protection works in the event that they are damaged as a result of coastal storm, including to undertake any works required to remove any threat to public safety arising from the coastal protection works including the removal of debris, that has become dislodged from the coastal protection works approved under this consent, from the public beach and adjacent public land, and to implement the Maintenance Management Plan (MMP).

In this condition “maintenance” means the restoration of the works to a standard in accordance with the approved plans and specifications following any damage caused by a coastal storm, and implementation of the MMP.

The bank guarantee (or other suitable legally binding obligation) is to be replenished if drawn upon and increased to allow for Consumer Price Index (CPI) every 10 years from the date of establishment.

The bank guarantee (or other suitable legally binding obligation) is to be in the favour of Council. The funds may be accessed by the owners, for the undertaking of works referred to in this condition and in the approved MMP, with the written consent of Council.

The bank guarantee is to be released to the landowners at the time, if the coastal protection works are removed.

Reason: To satisfy the requirements of Section 27 of the Coastal Management Act 2016 and to ensure that the coastal protection works will not pose any significant threat to public safety.

### **Restoration of sand**

Sand, shaped to a natural profile, is to be restored seaward of the works, once construction is completed. Sand from the public beach may be used for this purpose. Details are to be provided to the Principal Certifying Authority prior to the issue of the Occupation Certificate. These details are to be provided to Council on issue of the Occupation.

Reason: To limit the impact of the works on the visual quality of the beach.

### **Certification of works**

The constructed coastal protection works are to be certified by a suitably qualified coastal engineer as being constructed in accordance with the approved design and performance criteria. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to approval of an occupation certificate. This certification is to be provided to Council on issue of the Occupation Certificate.

Reason: To ensure appropriate design and construction of coastal protection works.

## ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

### **Ongoing maintenance of the Coastal Protection Works and public safety**

The coastal protection works must be maintained in accordance with the Development Consent, conditions, approved plans and specifications as outlined in this consent. The maintenance must be to a standard that does not compromise the protection or integrity of the adjoining land. Appropriate arrangements to allow sufficient access to the works in the event that maintenance is required are to be maintained in accordance with the Maintenance Management Plan of the Coastal Protection Works.

Any debris on the beach resulting from damage or failure of the coastal protection works must be rectified by the owner or owners of the works that are the source of the damage, as part of maintaining the works as per condition 29 of this consent. If required, the financial arrangements established in condition 29 of this consent may be utilised in accordance with any written consent that may be issued by Council.

Reason: To satisfy the requirements of Section 27 of the Coastal Management Act 2016 and to ensure that the coastal protection works will not pose any significant threat to public safety.

### **Post storm inspection**

After any storm event that exposes any part of the coastal protection works to damage, that impacts the support or performance of the works, the owners are to procure, at their cost, inspections by a suitably qualified coastal engineer of the coastal protection works. A detailed report is to be provided by this coastal engineer and any recommendations within the report are to be undertaken as soon as reasonably practicable after necessary approvals are obtained, if required.

Reason: To ensure the coastal protection works are maintained after a storm event.

### **Removal of debris**

The owners must obtain all necessary approvals and then remove debris from any adjoining public land if part of the coastal protection works is dispersed onto that land, with such removal to be done as soon as reasonably practicable to the satisfaction of Council and, if necessary, the Crown, at no cost to Council. If required the financial arrangements established as part of this consent may be utilised in accordance with any written consent that may be issued by Council.

Note: Debris will be taken to have been deposited from the coastal protection works seaward of 1184 - 1186 Pittwater Road, Narrabeen if found on public land within a line extending from either longitudinal boundary to the mean low water mark, and it is evident that the debris has originated from the approved works or from within the subject properties.

Reason: To ensure the safety of the public beach.